

FILED WITH THE BOARD OF  
PSYCHOLOGICAL EXAMINERS  
ON *January 4, 2010*

*J. Michael Walker*  
Exec. Director

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STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF PSYCHOLOGICAL EXAMINERS

IN THE MATTER OF THE SUSPENSION  
OR REVOCATION OF THE LICENSE OF

Administrative Action

FRANK MACARTHUR, PSY.D.  
License No.: 3723

CONSENT ORDER

TO PRACTICE PSYCHOLOGY IN  
THE STATE OF NEW JERSEY

This matter was opened to the New Jersey State Board of Psychological Examiners (hereinafter "the Board") upon receipt of information alleging that Dr. Mac Arthur (the Respondent) engaged in unprofessional and unethical activity by entering into a personal relationship with K.D. while he was her employer and supervisor for licensure as a professional counselor. Prior to her supervision by the Respondent, K.D. took a group

therapy training class and participated in group supervision for interns with Respondent while she attended graduate school. Upon graduation in October, 2003, K.D. asked Respondent to supervise her for licensure while she worked at a non-profit mental health agency. In 2004 Respondent requested K.D. to see patients at his private practice office and supervised these cases. Respondent supervised K.D. from August 2003 until September 2007.

Respondent acknowledges that during, the supervision, he developed romantic feelings towards KD, and on several occasions engaged in physical boundary violations that met the regulatory definition of sexual misconduct.

Having reviewed the entire record, it appears to the Board that Respondent has committed boundary violations with supervisee K.D. and this conduct constitutes professional misconduct in violation of N.J.S.A. 45:1-21(e) and violations of the sexual misconduct regulation at N.J.A.C. 13:42-10.9(b) and the dual relationship regulation at N.J.A.C. 13:42-10.13 (d). Additionally, the Board recognizes that the Respondent has acknowledged his breach of appropriate professional boundaries and has sought therapy to address these issues.

The Respondent being desirous of resolving this matter without resort to formal proceedings, and the Board having determined that the following provisions are sufficiently protective of the public interest and welfare, and for good cause shown;

IT IS ON THIS *4<sup>th</sup>* DAY OF *January*, 2010

HEREBY ORDERED AND AGREED THAT:

1. Respondent's license to practice psychology shall be suspended for one year, the first three months of which shall be an active suspension, effective, upon service of a filed copy of this order. The remainder of the suspension shall be stayed on the condition that respondent continues to participate in psychotherapy for a minimum of one year and agrees to supervision in his practice for a minimum of one year from the date of his re-entry into practice as described herein.

2. Upon completion of the three months of active suspension, the Respondent shall appear before the Board or a committee of the Board to discuss his re-entry into active practice. Reinstatement shall include such limitations and restrictions as in the discretion of the Board are necessary to protect the public safety and welfare.

3. Following reinstatement, Respondent's practice shall be supervised for a minimum of one year. The supervisor shall be approved by the Board prior to being engaged by the Respondent and prior to his return to active practice and shall be a licensed psychologist in New Jersey. Respondent shall submit the names of three potential supervisors for approval by the Board within fifteen (15) days of the filing date of the Order. The approved supervisor shall report in writing to the Board on a monthly basis regarding the Respondent's progress. The supervisor's report shall provide an informative evaluation of the Respondent's patient treatment and professional practice. The supervisor shall pay particular attention to Respondent's dealing with boundary issues involving dual relationships, social and sexual activity as well as Respondent's overall

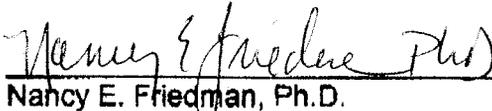
practice. The cost of supervision is the sole responsibility of the Respondent. The supervisor shall agree to immediately notify the Board of any actions by Respondent which fail to meet the acceptable standards of professional practice or any violations of the statutes or regulations governing the practice of psychology.

4. Respondent shall continue to participate in psychotherapeutic treatment for a minimum of one year from the date of the entry of this order and until further order of the Board. Respondent shall inform the Board in writing of the name and the curriculum vitae of his therapist. The therapist shall submit to the Board quarterly reports providing the dates of attendance in therapy and a statement that respondent is satisfactorily participating in the therapy process. The Board shall be informed immediately of any changes in therapist. At the completion of the one year of therapy, the therapist shall report to the Board in writing on the respondent's progress and the Board will assess the need for a requirement of continued therapy. Prior to reinstatement come before the Board or a committee of the Board to discuss his future practice of psychotherapy.

5. Respondent shall refrain from acting as a supervisor to any student, trainee or applicant seeking credentials for licensure as a psychologist or a mental health professional for a minimum of one year. Upon completion of one year he may apply to act as a supervisor but must appear before the Board or a committee of the Board to discuss his plan for supervision.

6. Failure to comply with any of the terms of this Consent Order shall constitute a violation of the Order which will constitute grounds for further disciplinary action as the Board may determine.

STATE BOARD OF PSYCHOLOGICAL EXAMINERS

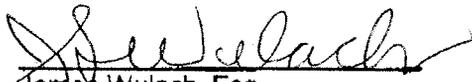
  
Nancy E. Friedman, Ph.D.  
Chair

I have read and understand the within Consent Order and agree to be bound by its terms. Consent is hereby given to the Board to enter this Order.

  
Frank MacArthur, Psy.D.

DATED: 12/24/09

This Order is agreed to as to form and entry.

  
James Wulach, Esq.  
Attorney for Frank MacArthur, Psy.D.

DATED: 12/18/09